

MC/14/2914

Date Received: 30 September, 2014

Location: Rochester Airport, Maidstone Road, Chatham, ME5 9SD

Proposal: Formation of a lit paved runway with parallel grass runway, formation of grassed bund, re-siting of helipad's, erection of two hangars, a hub building with control tower and associated building, erection of fencing and gates, formation of associated car parking areas, fuel tank enclosure, family viewing area and a memorial garden (detailed submission) plus demolition of a range of structures and removal of portable structures.

Applicant: Rochester Airport Ltd

Agent: Ms Bloomfield Bloomfields 77 Commercial Road Paddock Wood Kent TN12 6DS

Ward Rochester South & Horsted

Recommendation of Officers to the Planning Committee, to be considered and determined by the Planning Committee at a meeting to be held on 7 January, 2015.

Recommendation - Approval with Conditions

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans:

206.P/002, 003, 004, 005, 006, 007 and CR/4202/01 received on 30 September 2014; 206.P/008 received on 6 October 2014 and drawings 206.P/001, 13H01-006 Rev P3 and 13H01-007 Rev P3 received on 5 December 2014.

Reason: For the avoidance of doubt and in the interests of proper planning.

- 3 Unless otherwise agreed by the Local Planning Authority, development other than that required to be carried out as part of an approved scheme of remediation must not commence until conditions 4 to 7 have been complied with. If unexpected contamination is found after development has begun,

development must be halted on that part of the site affected by the unexpected contamination to the extent specified in writing by the Local Planning Authority until condition 7 has been complied with in relation to that contamination.

Reason: To ensure that the development is undertaken in a manner which acknowledges interests of amenity and safety in accordance with Policy BNE23 of the Medway Local Plan 2003.

- 4 A desk top study, investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, including risks to groundwater, whether or not it originates on the site. The scheme shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of the development. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report shall be submitted to and approved by the Local Planning Authority prior to the commencement of development. The report of the findings must include:

(i) a survey of the extent, scale and nature of contamination;

(ii) an assessment of the potential risks to:

- human health
- property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes.
- adjoining land,
- groundwaters and surface waters,
- ecological systems,
- archaeological sites and ancient monuments;

(iii) an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

Reason: To ensure that the development is undertaken in a manner which acknowledges interests of amenity and safety in accordance with Policy BNE23 of the Medway Local Plan 2003.

- 5 A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and submitted to and approved in writing by the Local Planning Authority prior to commencement of the development. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme

must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

Reason: To ensure that the development is undertaken in a manner which acknowledges interests of amenity and safety in accordance with Policy BNE23 of the Medway Local Plan 2003.

- 6 The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of any development (other than development required to enable the remediation process to be implemented) unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given not less than two weeks written notification prior to the commencement of the remediation scheme works.

Following completion of the measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and submitted to and approved in writing by the Local Planning Authority prior to the bringing into use of the development.

Reason: To ensure that the development is undertaken in a manner which acknowledges interests of amenity and safety in accordance with Policy BNE23 of the Medway Local Plan 2003.

- 7 In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition 4, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 5, which is subject to the approval in writing of the Local Planning Authority.

Following completion of the measures identified in the approved remediation scheme a verification report providing details of the data that will be collected in order to demonstrate that the works set out in condition 5 are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition 6.

Reason: To ensure that the development is undertaken in a manner which acknowledges interests of amenity and safety in accordance with Policy BNE23 of the Medway Local Plan 2003.

- 8 No development shall take place until details and samples of all materials to be used externally have been submitted to and approved in writing by the Local Planning Authority, and the development shall be carried out in accordance with the approved details.

Reason: To ensure that the appearance of the development is satisfactory and without prejudice to conditions of visual amenity in the locality, in accordance with Policy BNE1 of the Medway Local Plan 2003.

- 9 Prior to the commencement of the construction of the earth bund hereby permitted full details of the type or types of material(s) to be used in association with the formation of the bund shall be submitted to and approved in writing by the Local Planning Authority. The earth bund shall only be formed from materials approved for this purpose pursuant to the requirements of this condition.

Reason: To ensure that the development is undertaken in a manner which acknowledges interests of amenity and safety in accordance with Policy BNE2 of the Medway Local Plan 2003.

- 10 No development shall take place until details of the specification of the aviation fuel tanks, including any below ground pipework, and the bunding enclosing the fuel storage area shall be submitted to and approved in writing by the Local Planning Authority. The fuel storage tanks and bunding shall be installed in accordance with the approved details and shall thereafter be retained in accordance with approved details.

Reason To ensure that the development is undertaken in a manner, which acknowledges interests of safeguarding the water supply in the area in accordance with Policy CF12 of the Medway Local Plan 2003.

- 11 No development shall take place until details of the surface and foul water drainage arrangements for the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. The approved surface and foul water drainage scheme shall be installed in accordance with the approved details prior to the first use of the development hereby permitted and shall thereafter be retained in accordance with the approved details.

Reason To ensure that the development is undertaken in a manner, which acknowledges interests of safeguarding the water supply in the area in accordance with Policy CF12 of the Medway Local Plan 2003.

- 12 No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

- a) the access to the works site from the public highway;
- b) the parking of vehicles of site operatives and visitors;
- c) loading and unloading of plant and materials;
- d) the hours of the construction works;
- e) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;

- f) wheel washing facilities;
- g) measures to control the emission of dust and dirt during construction; and
- h) a scheme for recycling/disposing of waste resulting from demolition and construction works.

Reason In the interests of safeguarding residential amenity and the free and safe operation of the public highway in accordance with the provisions of Policies BNE2 and T1 of the Medway Local Plan 2003.

- 13 No development shall take place (except as may be agreed in writing by the Local Planning Authority) until the developer has secured the implementation of a programme of archaeological work in accordance with a written specification and time table which has been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved specification.

Reason: To safeguard the archaeological interest in the site in accordance with Policy BNE21 of the Medway Local Plan 2003.

- 14 No development shall take place until the developer has secured the implementation of a programme of building recording in accordance with a written specification and timetable, which has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved programme of building recording.

Reason: To safeguard the archaeological interest in the site in accordance with Policy BNE21 of the Medway Local Plan 2003.

- 15 The total number of aircraft movements shall not exceed 40,000 per annum, except in an emergency.

Reason: In the interests of safeguarding residential amenity in the area in accordance with the provisions of Policy BNE2 of the Medway Local Plan 2003.

- 16 The total number of aircraft movements on Saturdays and Sundays shall not exceed 350, with the exception of: emergencies; pilots returning their aircraft to the airport when such aircraft are kept (homed) at Rochester Airport; and on occasions when the airport is staging pre-publicised public open days, which shall not exceed two in number in any given calendar year.

Reason: To safeguard residential amenity in accordance with the provisions of Policy BNE2 of the Medway Local Plan 2003.

- 17 Aircraft movements shall take place only between hours of 07.30 to 19.30 on Mondays to Fridays and 08.30 to 17.30 on Saturdays and Sundays and on public holidays, with an evening extension to dusk or 21.00 for aircraft kept by their pilots at the airport. Out of hours movements may also take place:

when required by the emergency services or military; and on up to 100 times on a pre-arranged basis.

Reason: To safeguard residential amenity in accordance with the provisions of Policy BNE2 of the Medway Local Plan 2003.

- 18 Prior to the commencement of any works on site, including demolition, the retained trees will be protected by fencing in accordance with British Standard 5837:2012 as per the plan in Appendix C of the 'Development Tree Survey and Arboricultural Report prepared by Lushland Limited and dated 30 August 2014. The protective tree fencing to be installed shall be as specified in Section 15 of the aforementioned report. No variations to the siting of the protective fencing shown on the plan contained within Appendix C of the aforementioned report shall be made without the prior written approval of the Local Planning Authority. The tree protection measures shall be retained for the duration of the construction works associated with the development hereby permitted.

Reason: Pursuant to condition 197 of the Town and Country Planning Act 1990 and to protect and enhance the appearance and character of the site and locality, in accordance with Policy BNE1 and BNE6 of the Medway Local Plan 2003.

For the reasons for this recommendation for approval please see Planning Appraisal Section and Conclusions at the end of this report.

Proposal

This application seeks full planning permission for the elements listed below. It should be noted that part of the application site to the south west falls within Tonbridge and Mailing Borough Council's (TMBC) area and a parallel application has therefore been made to TMBC and is subject to that Council's reference 14/03341/FL. During the course of the application there was an amendment to the description of the proposed development, deleting reference to seeking outline permission on a hybrid basis for some parts of the application site for which firm proposals have not been determined to date.

The application is for: -

- The formation of a tarmac paved runway, which would replace the existing 830 metre long grass track runway 02R/20L (hereafter referred to as 02/20). The hard paved runway would be lit by surface level lighting, as is the case with the existing runway, and this lighting would only be used when required during times when the airfield is open.

A consequence of hard paving runway 02/20 would be the decommissioning of the airport's second grass runway, runway 16/34, which would leave an area of around 10.77 ha within the airport's grounds that would no longer be required for airfield operations. This surplus land has the potential to be redeveloped for

non-airfield related purposes, however its future redevelopment forms no part of the submitted application.

- The formation of grass covered bund, with a maximum height of 1.5 metres running along a more or less north/south axis to the west of the proposed hard paved runway.
- The erection of three hangars, one of which would be occupied by the Medway Aircraft Preservation Society (MAPS), replacing its existing accommodation. The other two proposed Hangars (numbers 5 and 6) would be sited side by side and would therefore have the appearance of being a single building. The proposed hangars would be of the following dimensions:

	Width in metres	Depth in metres	Height to ridge in metres
Hangar 5	27.82	40.00	8.00
Hangar 6	27.82	40.00	8.00
MAPS Hangar	28.30	15.30	8.00

- A new control tower.
- A 'hub building' which would provide office and administrative facilities for the airport and a cafe.
- The relocation of the airport's two helipads.
- Various ancillary items, including: the installation of internal fencing to separate airside and landside areas of the airport from one another; the formation of a fuel tank enclosure as part of a rationalisation of the airport's existing fuel handling arrangements; the formation of parking areas; and the establishment of a family viewing area and a memorial garden.

All of the proposed new buildings would be sited to the east of retained Hangar 3 and to the west of the rear of the adjoining Innovation Centre.

The applicant also intends to refurbish elements of the exteriors of Hangars 3 and 4, however, it is to be noted these works do not of themselves require planning permission.

As part of the proposed reconfiguration of the airfield various small scale buildings would be demolished, while a number of portable buildings would be removed. The creation of a hard paved runway 02/20 would allow the airport's second runway, 16/34 to be decommissioned and the proposed bund would separate what would be the retained operational airfield from what would be surplus airfield land currently forming part of runway 16/34.

Currently the split of movements between runways 02/20 and 16/34 is respectively 70% to 30%, with runway 20 being used more frequently because it is aligned with the prevailing south westerly wind direction, which means that the majority of the aircraft landing at the airport do so by making their final approach from the north,

while those taking-off start this manoeuvre from the northern end of the runway.

The airport currently operates without any limitation upon the number of aircraft movements (fixed wing and rotary) that can be made in any calendar year and as part of the application the applicants have proposed that a limitation of 40,000 movements be imposed by means of a planning condition. A movement in this context means any landing or takeoff from the airport's runways and a pilot practicing takeoffs and landings in a single flying session would therefore complete multiple movements.

The applicant has submitted that during the 1990s the proposed annual movement cap was exceeded by up to 7,000 movements per annum. There was movement numbers of 46,633 and 45,311 being recorded in 2003 and 2005. The movement data supplied by the applicant for the period between 2001 and 2013 shows that in recent years there has been a fair degree of variation in the annual movement numbers with the figures for 2010, 2011, 2012 and 2013 respectively being 21,688, 24,289, 18,747 and 23,540. The applicant therefore contends that with the provision of a hard paved runway there would be no sudden increase to 40,000 movements, with factors such as the state of the economy, local business use, recreational demands etc affecting the demand for the airport's use.

Under the airfield's operating license (issued by the Civil Aviation Authority [CAA]) there are no restrictions upon the hours during which the airport can operate and technically the airport could remain open 24 hours a day. The applicant, however, intends that the airfield's opening times should be limited to 07.30 to 19.30 on weekdays and 08.30 to 17.30 on Saturdays and Sundays and on public holidays, with an evening extension to dusk or 21.00 for aircraft kept by their owners at the airport. It is proposed that the aforementioned operating hours would not apply to the movement of emergency and military aircraft, while it is intended that the likes of Network Rail and Utility companies who from time to time make use of the airport on an out of hours basis should be able to undertake annually 100 pre-arranged movements outside of the airport's normal operating times.

The applicant has submitted that the runway length and type, the latter being determined by requirements enforced by the Civil Aviation Authority (The CAA), is self limiting in terms of the size and type of aircraft that are able to use Rochester Airport. The users of the airport currently fall within the categories of: leisure flyers; pilot training; commercial aircraft serving local businesses (air taxi type services); very light cargo traffic (small machinery parts and human organs and blood for donation etc); the emergency services (police, ambulance and coastguard); surveyors for utility companies; aerial photographers; and the military.

In terms of the types of the fixed wing and rotary wing aircraft using the airfield the applicant has provided details of the range of aircraft currently using this facility. The applicant has submitted that the proposed introduction of a hard paved runway is not expected to lead to much alteration in the types or sizes of aircraft using the reconfigured airfield. The current use of the airport includes planes with twin turboprops, which are technically jet turbine powered craft, but have propellers as opposed turbfans, the latter being the type of engine used to power passenger airliners. The applicant has submitted that there is no intention that turbfan jet

powered aircraft would use the reconfigured airfield. To do so would require the CAA to license such operations and accepting larger and/or more powerful aircraft would require more intensive staffing at the airport, for example the airfield's fire tender would have to be permanently crewed by a minimum of two fire fighters at all times, i.e. these members of staff would have to be dedicated to fire fighting duties at all times and could not undertake other duties and be on call to man the tender as is currently the case.

The applicant has submitted that size and type of aircraft that can use licensed airfields in the UK is highly regulated by the CAA and an example of the stringent controls applied by the CAA relates to the use of 'Cessna Caravans', one of the largest aircraft using Rochester Airport. In the UK Cessna Caravans are licensed to carry 9 passengers by the CAA, while in the United States this aircraft is licensed to carry up to 14 passengers. The applicant in response to representations made about the possibility of larger aircraft, including turboprop jets, using the hard paved runway has advised that the CAA applies limitations about the length and width of runways relative to aircraft types, which control the types of planes that can use any given runway. The existing runway 02/20 is categorised by the CAA as 2B and the hard paved runway would similarly be categorised, given its length and width. Accordingly while it might be possible to land a turboprop powered plane on the new runway, it would not be possible to allow such an aircraft to take-off from it, because for take-offs, for the vast majority of executive jets or passage airliners, the manufacturers recommended runway length requirement, with or without any increase imposed by the CAA, need a runway length considerably in excess of the 833 metres available at Rochester.

The applicant has advised that the benchmark runway length for turboprop powered aircraft is a minimum of 1,000 metres. As by way of an example a Learjet 45, a plane with a capacity of up to 9 passengers, has a manufacturers specified take-off distance of 1,536 metres (5,040 feet) and a landing distance of 811 metres (2,660 feet) and is a type of plane flown from London Biggin Hill Airport, where the 'take off distance available' is 2,174 metres (7,130 feet).

The applicant has further submitted, on the basis of guidance produced by the CAA, that there are safety advantages relating to the use of hard paved runways compared to grass runways, with fixed wing planes needing 20 to 30% less runway on a paved surface to take-off from and 15 to 35% less on landing. The applicant submits that if a plane on take-off requires less runway length then it will have reached a greater height when crossing the airport's boundary, which is advantageous in safety and noise generation terms.

Relevant History

MC/14/2159 Town and Country Planning Act (Environmental Impact Assessment) (England and Wales) Regulations 2011 - request for a screening opinion as to whether an Environmental Impact Assessment is necessary for the formation of a paved lit runway to replace 02/20 measuring 830 metres in length and 25 metres in width together with a new parallel grass runway for use by historic aircraft and landscaped bund. The refurbishment or replacement of hangar 3, new control tower, new hub building with MAPS hanger, fuel pump island, vehicle parking and aircraft

storage together with additional hangers and buildings with associated parking.
Environmental Impact Assessment (EIA) not required, 18 August 2014

MC/14/1178 Town and Country Planning Act (Environmental Impact Assessment) (England and Wales) Regulations 2011 - request for a screening opinion as to whether an Environmental Impact Assessment is necessary for the formation of a paved lit runway to replace 02/20 measuring 830 metres in length and 25 metres in width together with a new parallel grass runaway for use by historic aircraft and landscaped bund. The refurbishment or replacement of hangar 3, new control tower, new hub building with MAPS hanger, fuel pump island, vehicle parking and aircraft storage together with additional hangers and buildings with associated parking.
Environmental Impact Assessment (EIA) required, 20 May 2014

The change from the proposed development being assessed as EIA to non-EIA development arose because clarifying information was provided in relation to the second screening opinion that demonstrated to the satisfaction of the consultees with a nature conservation remit that the volume of movements would be such that air quality within the statutorily designated sites in the area would not be impacted upon.

Representations

The application has been advertised in the local press and on site as major development and consultations have been undertaken with: Tonbridge and Malling Borough Council; Maidstone Borough Council; Boxley Parish Council; Aylesford Parish Council; Burham Parish Council; Wouldham Borough Council; Natural England, The Environment Agency; The Highways Agency; The Civil Aviation Authority; The National Air Traffic Service; Southend Airport; Biggin Hill Airport; The North Downs AONB Unit; The Kent Wildlife Trust; The Royal Society for the Protection of Birds; Southern Gas Networks; Southern Water Services; EDF Energy; the Fire Service; in the region of 7,500 dwellings within Medway Council's and Tonbridge and Malling Borough Council's areas; and various businesses adjoining the airport.

The Civil Aviation Authority has written commenting that it should not have been consulted and has made no other comments other than to recommend that the views of the National Air Traffic Service should be sought.

The National Air Traffic Service has written advising that it has examined the proposals from a technical safeguarding aspect and the proposals do not conflict with its safeguarding criteria.

Natural England has advised having reviewed the submitted details relating to noise and visual impact that it does not wish to comment on the application proposals.

The Kent Wildlife Trust has written expressing support for the biodiversity enhancement proposals included with the application proposals, most particularly the broadening the native floral composition of the amenity grassland within the airfield and the adoption of a biodiversity management plan. The Trust expresses disappointment at the absence of green and brown roofs, measures that it notes the

applicant's ecological advisor recommended should be included within the scheme.

Environment Agency has written objecting to the application because insufficient information has been included with the application to demonstrate that the development would not give rise to the pollution of a principal aquifer and public water supply abstraction point within the vicinity of the airport as a consequence of the storage of fuel or the use of any de-icing equipment. The Agency has therefore sought the submission of additional information demonstrating that contamination of controlled waters would not arise.

The **Highways Agency** issued a direction precluding the granting of planning, which in effect amounted to an objection, pending clarification about the development's traffic generating implications for junction 2 of the M2.

Aylesford Parish Council has written raising no objection to the proposed development.

London Southend Airport has written raising no objection to the application proposals.

London Biggin Hill Airport has advised it does not wish to comment.

Southern Gas Networks has written drawing attention to its infrastructure within the vicinity of the airfield and the construction working practices that should be adopted when undertaking works near this infrastructure.

Southern Water has written drawing attention to the location of a public foul sewer and a water trunk main that cross the application site and the potential need for this infrastructure to be diverted.

Kent Police has written requesting that the applicant's attention be drawn to the Kent Design Initiative to assist it in adopting crime prevention and community safety measures.

143 representations have been received by Medway Council and 49 representations from 45 respondents have been received by Tonbridge and Malling Borough Council raising the following objections:

- Members of the Planning Committee have been involved in the decision that gave rise to the adoption of the Airport Masterplan and cannot therefore determine this planning application on an impartial basis.
- The submitted application is deficient in that it is not accompanied by an Environmental Impact Assessment (EIA) to address the effects of the proposal upon noise, traffic, safety and disruption to the local environment.
- The application should have been subject to pre-application consultation prior to its submission, as required by the adopted Masterplan.
- The proposals to reconfigure the airport should be considered in tandem with

any proposals for the redevelopment of the parts of the airfield, which no longer be required for aviation purposes.

- Council funds should not be used to pay for the proposed works to the airfield.
- The proposed development will result in intensified aircraft movements on one runway and larger and/or more powerful planes, including jets, making use of the single runway. Runway 02/20 has never in the past accommodated 40,000 movements in any one year and this number of movements would amount to a 300% increase above the current level. The proposed runway alteration will result in more planes overflying a densely populated residential area, resulting in additional noise disturbance. The area to the north of the airport is densely populated and is therefore noise sensitive and on the applicant's calculation could on a busy day experience 400 to 500 movements. Inadequate controls exist in relation to controlling disturbing repetitive landing and takeoff movements (circuit flying) in the evenings and at weekends. On busy flying days residents experience noise disturbance and are unable to enjoy their garden areas. Helicopter and microlights generate noise that is particularly intrusive. Lighting the runway will enable night flying to take place.
- The applicant's noise assessment shows that no significant benefit will arise from the hard paving of runway 02/20, with surface noise levels predicted to be 5dB higher.
- The provision of additional hangars is a further indicator of the intention to intensify flying at the airport.
- If planning permission is granted for the proposed development then the regulation of subsequent noise would not be controlled by the Environmental Protection Act 1990, the Noise Act 1996 or the Civil Aviation Act. Under the Civil Aviation Act any non-compliance only applies to individual aircraft or pilots and for the CAA to undertake any kind of investigation it requires an aircraft's registration details. Neither Medway or Tonbridge and Malling Borough Councils will be able to adequately control the airport's daily activities in order to safeguard the living conditions of residents.
- The proposed extended hours of airfield operations between 07:30 and 19:30 weekdays and 08:30 to 19:30 at the weekend and over bank holidays is unacceptable in noise generation terms.
- The introduction of a hard paved runway will mean that the use of the runway is less weather dependent compared to the existing grass runways, which cannot be used when they are too wet. This change will result in flying being possible throughout the year resulting in intensification in the airport's use, depriving residents of a respite during the winter months, and will allow a change in the character of its use, with the potential for regular taxi services and scheduled flights.
- The applicant is already in breach of its CAA issued license in that circuit training is restricted at weekends and public holidays and yet this restriction is

not being adhered to.

- Users of the Blue Bell Hill Picnic site, North Downs Area of Outstanding Natural Beauty, The North Downs Way, the Woodland Trust's site at Shoulder of Mutton Wood and the Kent Wildlife reserves will experience noise disturbance.
- The proposed development as a consequence of additional air movements will result in increased air pollution in the area.
- Increased movements will result in lost privacy for residents whose properties are over flown by aircraft.
- The imposition of a cap on movement numbers will not adequately control noise disturbance and any such cap could be changed in the future. It is questionable whether setting a limit of 40,000 movements per annum would be viable for the applicant and if not then permission for an increased number of movements might be sought. Any limit on movement numbers should be made the subject of a Section 106 Agreement rather than a planning condition, and any such cap should be set at 25,000 movements.
- While an annual cap of movements has been put forward by the applicant, no aircraft movement limit has been proposed on a daily basis. In the absence of a daily movement limit, disturbance would be higher on busy flying days.
- Increased aircraft movements will increase the risk of accidents for residents and the pupils of the 17 schools with a one mile radius of the airport, with the runway alignment meaning that flight movements will be over the residential area. There having been 18 incidents investigated by the Air Accident Investigation Branch since 2000.
- It would make sense for the airport's other runway to be hard paved, as aircraft using it do not overfly as many properties.
- Rochester Airport is a Public Infrastructure project for the purposes of The Land Compensation Act 1973 (The LCA), being an aerodrome. The applicant should be required to establish a compensation fund to compensate residents who experience loss of property value and who would be eligible to make claims under the Land Compensation Act 1973. Alternatively the Council could agree to take on the responsibility for any LCA Part 1 claims or indemnify the applicant by agreeing that it will meet the costs of any such claims, which could be in multi million pounds.
- The design of the proposed hard paved runway is not compliant with the requirements of the Civil Aviation Authority (CAA), with the proposed runway failing to provide Runway End Safety Areas (RESA) of a size that conform to the CAA's requirements and taxi ways encroaching into the RESA. The application fails to make any reference to safety drop zones beyond the airport in the event of aircraft getting into difficulties.

- Encouraging additional wildlife on the non hard paved areas of the airfield will attract additional birds to the runway area, which will create a safety risk.
- The proposals for the airport will be likely to generate additional road traffic and thus congestion in the surrounding area. The applicant should therefore be required to undertake improvements to the junction between Horsted Way and City Way.
- Policy S11 of the Local Plan allocates the airfield as a location for a high quality business park with flying to remain operational on one grass runway, the current proposals are contrary to the Policy S11.
- Alternative uses for the airfield should be considered that would not be disturbing to local residents.
- The airfield acts as a green lung within the urban area and the proposed development will result in the loss of this lung.
- Boundary fencing should be softened with planting.
- The proposed tree loss is not justified.
- The claimed additional employment arising from the proposed development will be limited and does not outweigh the harm that will be experienced by residents.
- The airport's expansion will increase its chances of being used by criminals involved in the illegal trafficking of drugs, goods and firearms.
- Only the views of residents of the area as opposed to those living outside the Medway area should be taken into consideration in the determination of this planning application, as it those living within the vicinity of the airport will be affected by the proposed development.

Balfour Infant School

The head teacher of the school has written objecting for the following reasons:

- The changes to the runway will result in larger planes using the airport; and
- There will therefore be implications for noise and pollution levels and safety for pupils of the school either when they are in the playground or classroom windows are open.

Councillor Turpin has written expressing support for the proposed development on the proviso that all gyrocopter flights cease on the basis that this type of aircraft fly or more slowly and therefore generate noise over a more prolonged period and the noise that they generate causes annoyance. The airport's business plan should be more focused towards promoting fixed wing aircraft, which would have a higher economic value and be less disturbing to residents.

324 representations from 308 respondents have been received by Medway Council and 19 representations from 16 respondents have been received by Tonbridge and Malling Borough Council expressing support for the proposed development and making the following comments:

- The proposed alterations to the airport will enable flying to take place through the winter months and in overcoming waterlogging flight movements will be more evenly distributed during the periods when the airport is open.
- Aircraft on takeoff will be quieter as they will require less runway length to get airborne and will be at a greater height when crossing the airport's boundary. While the majority of landings will take place from the north it should be borne in mind that when landing aircraft will be on reduced power, using less throttle.
- Aircraft flying in and out of Southend Airport use flight paths that cross Rochester and some of the aircraft noise that is heard is attributable to the operation of Southend Airport.
- The making of movements up to 600 movements per day, as suggested by some objectors, would not be possible within a 10 hour flying day, because this level of activity would amount to one movement every 65 seconds, which would be a higher frequency than that which occurs at Gatwick.
- The runway length at Rochester Airport is not long enough for it to be used by passenger carrying jets and its size means that it cannot become a major airport.
- With the exception of flights by emergency and military aircraft, night flying does not occur at the airport.
- The proposed alterations to the airport will enhance its economic and leisure benefits for the Medway Towns and result in the airport continuing to function as a part of local and regional transport infrastructure.
- The construction of new hangars and other ancillary buildings will improve the appearance of the airport.
- The provision of improved facilities for MAPS will enable this organisation to develop.
- The proposed alterations to the airport will enable it to continue to operate as a training facility for pilots who can go on to employed by commercial airlines.

Re-consultation

Further to the receipt of amended and/or additional information being submitted by the applicant a re-consultation has been undertaken with all parties who expressed an objection or support for the original submission together with the consultees for

whom the additional submissions relate to.

The **Highways Agency**, further to receiving clarification that the application proposals only relate to the reconfigured airport and none of the land that would be vacated by the cessation of the use of runway 16/34, has lifted its direction and advised that it raises no objection to the proposed development.

The **Environment Agency** further to the receipt of additional information relating to the airport's fuel storage arrangements has to advise that it raises no objection to the proposed development subject to the imposition of conditions relating to: the evaluation of the potential for site contamination and its remediation; and the control of surface water drainage so that it does not infiltrate into the ground and pollute the underlying aquifer and special protection zone for a public water supply.

The **National Air Traffic Service** has written reiterating that it raises no objection to the proposed development.

7 letters have been received maintaining objections to the proposed development for reasons previously stated and raising the following additional point:

- The noise consultant appointed by Medway Council has confirmed that there will be 1dB of additional noise. This additional noise, much of which is generated by leisure flyers, will result in disturbance to residents and affect the enjoyment of their garden area.
- The applicant's acoustic assessment and the review of that report undertaken by the acoustic consultant appointed by the Council (MAS) confirm that the airport proposals will generate more noise rather than less noise, contrary to the publicity material circulated by the Council in relation to the Masterplan consultation. The Council has therefore been complicit in raising false expectations amongst the public, leading to many comments in support of the application being made. The Council has therefore lessened the receipt of public objection from those expecting there to be a reduction in noise.
- Neither the applicant's nor the Council's consultants have recognised that landing aircraft cause severe annoyance, assuming that the noise they make is less obtrusive than that of aircraft taking off. While that may be true of light aircraft it is not the case for helicopters, microlights and gyrocopters that require more power and create more noise on landing. The acoustic assessments undertaken look at average noise and not the peak noise created by slow moving helicopters.
- From the objectors who have provided addresses it is evident that residents as far afield as a mile experience disturbance, which confirms MAS's assessment that perception and tolerance is below the Government's guidelines for commercial airports. Any additional disturbance must be considered to be undesirable and unwarranted under the NPPF. The experience of noise affects the attractiveness of properties and thus their value and the generation of noise below the noise level for requiring insulation, as stated by the applicant, has no weight upon claims under the Land Compensation Act 1973.
- The description of development used by the Council and TMBC is

misleading because no mention is made of the closure of runway 16/34 and the removal of dual flight paths onto a single runway and the related change in flight paths.

- No independent safety report has been provided by the applicant. Had an Environmental Statement been submitted with the planning application it would have contained a societal and third party independent risk analysis due the concentration of flights in close proximity of schools. The NPPF requires planning authorities to assess dangers to the public and additional risk has to be balanced against the benefits, without an independent third party safety report compliance with the Framework is not possible.
- The applicant has not demonstrated that the hard paved runway has been designed to comply with the CAA's safety requirements. Without it being demonstrated that the runway will comply with the CAA's standards the thresholds for the runway are unknown with the result that the noise modeling has been undertaken can be relied upon.

52 letters have been received maintaining support for the proposed development for reasons previously stated and raising the following additional point:

- The hard paving of the runway will mean that from the air it will contrast with the surrounding grass making it more recognisable enabling pilots to concentrate sooner on their landing procedures, which will improve safety.

Development Plan and National Policy

The Development Plans relevant to the consideration of this planning application are the Medway Local Plan 2003 (the Local Plan) and Tonbridge and Malling Core Strategy 2007 (the T&MCS) and the Tonbridge and Malling Development Land Allocations Development Plan Document 2008 (the T&MMDEDPD). Where appropriate policies from the Local Plan, the T&MCS and the T&MMDEDPD will be referred to in the following assessment and these policies have been assessed against the National Planning Policy Framework (2012) (the Framework) and are considered to be in conformity with the Framework. Reference will also be made to the Planning Practice Guidance (the PPG) published by the Government in March 2014, which amongst other things, elaborates on national planning policy relating to the assessment of the noise implications of new development.

Members will also be aware that the Rochester Airport Masterplan (2014) (the Masterplan) has been adopted by the Council and this document, while not constituting an adopted Supplementary Planning Document, nevertheless provides a framework for the evolution of development proposals at the airport and its contents are therefore a material planning consideration.

Planning Appraisal

The main issues for consideration are: principle; design and appearance, including landscape impact; amenity, including noise implications; ecology; transportation; and contamination.

Principle

Rochester Airport is a long established aviation site within the urban area and the application proposals seek to rationalise operations at the airport, most particularly to enable operational difficulties to be addressed that arising from sustained periods of heavy rainfall, when the existing grass runways become waterlogged and thus unusable. The airport was for example effectively closed to fixed wing aircraft during three months of the 2012/13 winter period due to severe waterlogging.

The submitted application in seeking permission to hard pave runway 02/20, provide additional hangars and a replacement control tower etc does not propose to alter the character of the airport's general operations and in this respect the proposals are consistent with the framework set out for its redevelopment set out in the recently adopted Masterplan. Importantly for the reasons set out in the proposals section of this report above, it should be noted that the introduction of a hard paved runway would not result in the operation of turbofan powered executive jets or larger similarly powered planes because a runway length of 833 metres is not long enough for this type of aircraft to take-off from. It is therefore expected that the size and type of aircraft using the airport, following its reconfiguration, would not alter appreciably. It is therefore considered that the general principle of the proposed development is acceptable. In this respect it should be noted that Policy S11 (Rochester Airfield) of the Local Plan which allocated the airfield for business, science and technology development is no longer an extant development plan policy, with this policy having not been saved when the Secretary of State's saving direction was issued on 21 September 2007.

Design and Appearance

The proposed hangars in particular would be of a functional design and appearance. However, these comparatively large structures will generally be screened from public vantage points from outside the airport either by the presence of the adjoining Innovation Centre building or the trees along the perimeter of the airport at its southern end. Having regard to the siting and scale of the proposed buildings it is considered that their design and appearance is acceptable and that there is therefore no conflict with the provisions of Policy BNE1 of the Local Plan and Policy CP24 (standard of development) of the T&MCS.

The siting of the proposed buildings would mean that they would not be visible from the Kent Downs Area of Outstanding Natural Beauty (AONB) or the North Downs Special Landscape Area (SLA), the latter's extent overlaps with the former, which at this point lie to the west of the airfield within the Nashenden Valley. The setting of the AONB and SLA would therefore be preserved and accordingly the application proposals do not conflict with the objectives of Policies BNE32 and BNE33 of the Local Plan and Policies CP1 and CP7 (development affecting an AONB) of the T&MCS.

Amenity

With respect to amenity, given the nature of the proposed development and the extensive geographical area covered by the airport's flight paths, the primary issue

for consideration relating to effects upon living conditions in the area is the potential for noise disturbance to be experienced by residents of both Medway and Tonbridge and Malling.

Given the specialist nature of assessing aircraft noise Medway Council has appointed external consultants, MAS Environmental (MAS), to undertake an independent assessment of the acoustic report submitted on the applicant's behalf. TMBC has similarly appointed an external consultant to undertake an assessment of the applicant's noise case.

In considering the acoustic implications of hard paving runway 02/20 and the consequent switching of all landing and take-off activity to a single runway, regard needs to be paid to the fact that the airport in land use planning terms currently operates with no limitations upon the number of movements or times of day during which landings and take-offs can occur, although wet weather conditions impact upon the airport's ability to operate. It also needs to be recognised that activity at the airport has fluctuated quite markedly over the 13 year period during which the applicant has been running it, i.e. between 2001 and 2013. The annual number of flight movements having been at their lowest in 2012, at 18,747 movements, an average of around 51 for every day of a calendar year. The peak year for activity was 2003, when the number of movements was 46,633, equivalent to just under 128 movements for every day in this calendar year, while in 2013 there were 23,540 movements.

In submitting this planning application the applicant has proposed that a movement cap be introduced limiting the annual number of movements to 40,000, which is equivalent to a daily average of around 110 movements, albeit on the airport's busiest days, which tend to be weekend days between June and September, the number of movements per day can reach several hundred. The applicant has also proposed the imposition of an hours of use condition limiting flying activity to the hours of 07.30 to 19.30 on weekdays and 08.30 to 17.30 on Saturdays and Sundays and on public holidays, with an evening extension to dusk or 21.00 for aircraft kept by their pilots at the airport.

In terms of assessing noise, Policy BNE3 of the Local Plan and Policy SQ6 of the T&MMDEDPD because of their reliance upon Noise Exposure Categories (NECs) are no longer compliant with national planning policy, namely that contained within the Framework and the PPG. The Framework indicates that planning decisions should aim to:

Planning policies and decisions should aim to:

- *'avoid noise from giving rise to significant adverse impacts on health and quality of life as a result of new development;*
- *mitigate and reduce to a minimum other adverse impacts on health and quality of life arising from noise from new development, including through the use of conditions;*
- *recognise that development will often create some noise and existing*

businesses wanting to develop in continuance of their business should not have unreasonable restrictions put on them because of changes in nearby land uses since they were established; ' (paragraph 123)

The above guidance builds upon that contained within the Noise Policy Statement for England (2010), which outlines very similar objectives. The PPG identifies a noise exposure hierarchy based upon human responses to noise arising from new development being categorised as 'not noticeable', 'noticeable and not intrusive', 'noticeable and intrusive', 'noticeable and disruptive' and 'noticeable and very disruptive'. Under the aforementioned hierarchy the more intrusive a noise source is perceived to be the more likely it will affect human behaviour and/or attitude. The Aviation Policy Framework (Department for Transport 2013) (APF) in relation to aviation generated noise indicates that it is the Government's overall policy aim to limit and where possible reduce the number of people in the UK '... significantly affected by aircraft noise'. The APF indicates that in terms of assessing the impact of aircraft noise at or above 57 dB L_{aeq} , 16h, is the average noise level at which significant community annoyance is likely to arise.

The applicant's acoustic consultant, using a movement log for the Rochester Airport for the period between Monday 21 and Wednesday 31 July 2014, which recorded a total of 1,500 movements for fixed wing craft and helicopters, has undertaken noise contour prediction modeling for the period between mid June to mid September, the period widely recognised in the UK as being the most robust for undertaking such assessments. MAS on the Council's behalf raised some concern about the use of the 57 dB L_{aeq} , 16h level as the base level for assessing how many properties might be affected by the airport switching to a single runway operation, contending that the 57dB level is more suitable for large commercial airports, while airports such as Rochester generate noise of a more varied character, given the types of aircraft that use them. On this basis MAS recommended that the applicant additionally assess the impact at the level of 54 dB L_{aeq} , 16h.

The applicant's modeling exercise has been used to generate noise contours around the airport and the affected areas and dwellings. Numbers are shown in the table below.

L_{aeq}, 16h contour level (dBA)	Affected area (km²)	Affected dwellings
> 54	1.6	328
> 57	1.0	117
> 60	0.6	11
> 63	0.3	0
> 66	0.08	0
> 69	0.02	0

The modeling results indicate that no dwellings would fall within the 63 dB L_{aeq} , 16h contour, the threshold level at which the Government would expect noise sensitive buildings, such as schools and hospitals, would require acoustic insulation to be installed by airport operators.

The applicant's consultant has undertaken a comparative assessment between the noise level that arose in 2013 when the number of movements generated by the airfield were 23,540 and a maximum number of 40,000, which amounts to a 70% increase in activity. The difference in the ambient noise level ($L_{Aeq,T}$) between these levels of activity has been calculated to be 2.3 dBA. A change in an ambient noise level of between 1.0 and 2.9 dBA, as has been predicted for the airport, in acoustic terms is considered to fall into the category of being 'barely perceptible' to the human ear and is categorised as a 'minor impact'. By way of comparison a 10 dBA change represents a doubling or halving of the noise level. The change of runway construction in noise terms, while not having been modeled, is expected to have a beneficial effect because a plane on take-off that requires less runway will reach a higher altitude more quickly reducing the potential noise impact beyond the airport's boundary.

In terms of noise generated by aircraft in the air it is therefore recognised that there would be some increase in the noise level within the airport's flight paths. However, the resulting change is considered to be at a level which would not result in a significant impact and the imposition of a condition limiting the annual number of flight movements to 40,000 would ensure that the airport's future operation would not exceed the predicted level of impact. Given the propensity for heightened activity to occur on Saturdays and Sundays and for this additional activity to affect residential amenity MAS Environmental has recommended the imposition of a condition setting movement limits on Saturdays and Sundays. Following discussions with the applicant it is recommended that a condition be imposed that sets a limit of 350 movements on both Saturdays and Sundays, with exceptions relating to: emergency use; returning flights for planes homed (based) at Rochester; and two public open days a year.

Should the applicant at some future date wish to vary the terms either of the movement limiting conditions recommended for imposition on any forthcoming planning permission for the proposed development, then any application to vary these conditions would fall to be considered on their own merits and would need to be accompanied by their own acoustic assessment seeking to justify the revised movement level.

In terms of ground operations at the reconfigured airfield, the applicant's modeling identifies the ambient noise level to be driven by local road traffic noise and when the surface level noise attributable to the proposed development is added to the prevailing situation, the noise increase is predicted to be between 0 and 3 dBA. This change would be at a level, which is therefore not considered to represent a significant change. The direct change in noise generation from grass to tarmac has also been modeled and the increase is predicted to be a maximum of 5 dB, but only up to a distance of 50 metres on each side of the runway. Given the proximity of the closest residential properties to runway 02/20, the proposed change of surface type would have no adverse affect upon residential amenity in the area.

The original and revised acoustic assessments prepared for the applicant have been assessed by MAS and while there is some difference of opinion in relation to the interpretation of aviation policy, as it relates to noise, MAS has advised that the proposed development is unobjectionable in noise terms. In relation to the effect of

the changes in the level of the altered noise levels arising from operations at the airport, MAS have identified a potential concern in respect of the residential development at the former Horsted College site where acoustic protection measures to safeguard the internal and external living environment (acoustic glazing, mechanical ventilation and a three metre high fence) have been required. The Council's consultant is concerned that mitigation measures at this new residential development may not have been designed to accommodate any additional noise arising from changes in activity at the airport. It is predicated that there will be some increase in noise at Horsted Park but this is based on a worse case scenario of 40,000 movements per annum and only affects a small number of dwellings. The primary areas for noise impact would be at the access points to the development. The approved scheme at Horsted Park, which includes condition discharge, agrees noise levels above the optimum level and the impact caused by this proposal on those levels is not considered significant and future residents would be afforded with suitable levels of amenity.

The hard paved runway would be lit when in use and at times requiring illumination by lighting units mounted in the ground, as is the case with the existing runway 02/20. The proposed lighting arrangements are such that it is considered that they would not result in any unacceptable disturbance to the occupiers of dwellings or commercial premises within the vicinity of the airport.

A number of representations have been received raising concerns about a recent increase in autogyro activity. An autogyro flying school operates from the airfield and has in the past operated with two instructors enabling two training sessions (details) to be conducted at the same time. In recognition of the potential for this type of craft to cause noise disturbance as a consequence of trainee pilots completing frequent and repetitive take-offs and landings (circuits and bumps), the applicant is proposing to institute a management regime for this type of craft whereby only one trainee autogyro pilot can be in the air at any one time and only two training sessions will be allowed per day, each of up to a maximum of one and half hours duration. The applicant anticipates that the introduction of the aforementioned regime will reduce autogyro movements by around 29%.

In light of the foregoing assessment of amenity implications the proposed development is considered to accord with the provisions of Policy BNE2 of the Local Plan, Policy CP1 of the T&MCS and national policy contained within the various documents referred to above.

Ecology

The applicant commissioned an initial habitat survey, which indicated that it was possible that the airport could provide a habitat for slow worms, common lizards and adders. A field survey for the presence of reptiles on site has therefore been undertaken on the applicant's behalf and no reptiles were found to be present. Accordingly no mitigation is necessary.

The applicant has also arranged for a bat survey to be undertaken and no bats were found to be occupying parts of the site affected by the proposed development.

When the proposed development was subject to initial screening under the provisions of the Environmental Impact Assessment regulations, an initial concern was raised by Kent County Council's Ecological Service (acting as advisor to Medway Council) that the proposals would have an adverse air quality impact upon European and National statutorily designated wildlife sites. This was based upon a misunderstanding that the proposals in themselves would generate significantly increased air movements over and above those already permissible at the airport. A second screening opinion was sought by the applicant, which provided clarity about air movements (i.e. that the change of runway surface and ancillary development would not be resulting in significant changes to the number of type of aircraft using the airfield) and the County Ecological Service in response to this additional information withdrew its initial concern.

The proposed development therefore raises no issues relating to protected species and it is therefore no conflict with the provisions of Policies BNE37 or BNE39 of the Local Plan.

Highways

The Highways Agency (HA) raised a concern that the application in its originally submitted form would be of a scale that had the potential to generate volumes of traffic that would be prejudicial to the operation of Junction 3 of the M2. The HA's concern arose because on one of the application's site location plans the whole of the airfield was identified as being 'red land'; and within the description of the development reference was made to '... identification of future development site (outline submission)'. The combination of these factors gave the impression that the part of the airfield that would become non-operational was included within the application scheme as a site for redevelopment, which would have traffic generating implications, which had not been assessed in the application documentation.

While it was never the intention for the redevelopment of what would become the vacated part of runway 16/34 to be included within the current application, with the outline (hybrid) part of the proposal relating to the south eastern extremity of the airfield, the applicant has: agreed to the phrase '... identification of future development site (outline submission)' being deleted from the description of development; and amended the site location plans so that the red and blue lines are consistent within one another. On this basis the HA has confirmed that it raises no objection to the application, because the scale of traffic generation would have no implications for the general operation of Junction 3 of the M2.

Although the application proposals involve the creation of more built development within the airport's confines, the majority of the new building space would allow aircraft to be stored more efficiently under cover. Accordingly in themselves the construction of Hangars 5 and 6 would not generate any significant additional traffic movements to and from the airport. Similarly the construction of the new MAPS hangar is not of itself expected to be a significant traffic generator, with the majority of visits to MAP's facility being made by aircraft enthusiasts.

Given the nature of the application proposals it is considered that the proposed development would not be a significant traffic generator, with the result that there

would be no adverse effects for the operation of the local highway network. The application proposals are therefore considered to accord with the provisions of Policy T1 of the Local Plan and Policy SQ8 of the T&MMDEDPD.

Contamination

In response to the originally submitted application the Environment Agency raised an objection on the basis of the potential for 'controlled waters' (an aquifer and public water supply abstraction point) to become contaminated as a consequence of leakage from the use and storage of aviation fuel and use of de-icer. The applicant has submitted additional information relating to the arrangements for the storage of fuel and the refueling practices for aircraft using the airport and confirmed that it does not make use of de-icer.

With respect to the storage of fuel the applicant has confirmed that all fuels would be stored within three above ground tanks, which would be enclosed by bunds in line with the normal practices for keeping fuel. The handling of fuel on site is something which additionally comes within control of the petroleum license issued by the Council and the CAA's licensing of the airport and it is a requirement of the CAA that the applicant has an emergency plan for addressing any fuel leaks, a plan which is subject to auditing by the CAA. It is therefore considered that there are appropriate management controls in place, administered under 'other legislation' for the proposed development not to raise unmanageable pollution risks for the controlled waters within the vicinity of the application site. A condition is recommended requiring the submission of details in respect of the proposed storage arrangements for aviation fuel on site. It is therefore considered that there would be no conflict with the provisions of Policy CF12 (water supply) of the Local Plan.

The application site because of its historic use has, on the basis of preliminary investigations undertaken on the applicant's behalf, been identified as having the potential to be contaminated. Given this potential there would be a requirement for the applicant to undertake on-site investigations in association with the proposed development. Planning conditions to address this work are recommended. With the imposition of appropriate conditions the proposed development is unobjectionable under the provisions of Policy BNE23 of the Local Plan and Policy SQ6 of the T&MMDEDPD.

Archaeology

The application is accompanied by an archaeological desk based assessment. The application site lies in an area where there is some evidence of prehistoric and Romano- British activity and the airfield itself is of some historic interest dating back to the early 1930s and then into the WW2 period. The applicant's archaeological study recommends that historic building recording and archaeological monitoring and investigation are undertaken and appropriate conditions are recommended to cover these matters. With the imposition of such conditions it is considered that the application proposals accord with the provisions of Policy BNE21 of the Local Plan.

Trees

The trees within the application site are confined to its perimeter and the most significant of these are situated to the south and are for the most part beyond the area affected by either the construction of the proposed hard paved runway or the new hangars. However, seven trees, comprising cherry, field maple, hawthorn, ash and oak, are proposed for removal, to allow for the formation of a new car parking area and these trees for the most part have been assessed as being of low quality in arboricultural terms. It is considered that the removal of these trees would not detract from the wooded appearance of the site's southern boundary area and accordingly the removal of these trees is viewed to be unobjectionable. In order to safeguard the well being of trees to be retained within the vicinity of the works site a condition requiring the implementation of tree protection measures is recommended. With the imposition of the aforementioned condition, the proposed development is considered to be acceptable when regard is paid to the provisions of Policy BNE43 of the Local Plan.

Flood Risk

The application is accompanied by a flood risk assessment, which provides details of the proposed mitigation measures that are to be utilised to ensure that the proposed development does not increase the potential for surface water flooding within the vicinity of the airfield. The undertaking of this assessment being in direct response to the comments provided by the Environment Agency in connection with the EIA screening submission made by the applicant. The proposed drainage scheme has been designed to accommodate 1 in 30 year storm events, with a further 20% allowance being made for climate change, in line with current best practice design guidance. The Environment Agency has raised no objection to the proposed drainage arrangements and accordingly the proposed arrangements are considered to be acceptable.

Local Finance Considerations

The application site is in the ownership of Medway Council however this is not a material planning consideration. There are no local finance considerations applicable to the proposal.

Other Matters

The absence of an Environmental Statement (ES) accompanying the planning application, further to the provisions of the Environmental Impact Assessment (EIA) Regulations 2011, has been raised by objectors. Prior to the submission of the current planning application the applicant sought opinions from the Council under file references MC/14/1178 and MC/14/2159. Under second screening opinion it was determined that scale of the impacts arising from this development would be such that under the Regulations there was no requirement for an EIA to be undertaken and thus no need to submit an ES with the application. This does not mean that matters that would be covered by an EIA and thus included within an ES have not be addressed within the terms of the submitted application, with noise and ecological impacts for example being cases in point.

Representations have been made suggesting that pursuant to the provisions of the Land Compensation Act 1973 should any additional noise arising from the proposed development be found to have caused a devaluation of affected properties that Medway Council as owner of the airport would ultimately be liable to pay compensation to any party experiencing such a devaluation of their property. Legal advice has been sought on this issue and this advice confirms that it is not a material planning consideration and that in any event under the terms of the lease granted to the applicant the Council there is an indemnity which requires the applicant to meet any compensation claims arising under the Land Compensation Act.

The description of development used for planning applications is determined by the applicant. In relation to airspace planning authorities have no direct control over its use and this is therefore a matter, which is not being covered in a description of development.

Safety concerns have been raised in relation to the overflying of the built up area of Rochester. The issue of aviation safety for licensed airfields is a matter for the CAA and while the CAA has been consulted it has stated it should not have been consulted by the Council and has therefore made no comments, on any aspect of the submitted application, including airspace safety or compliance with the authority's design standards for runways. With respect to the specifics of the runway's design and its compliance with the CAA's standards, that is a matter to be assessed by the CAA and is not a land use planning consideration.

Conclusions and Reasons for Approval

For the reasons stated above it is considered that the proposed development is acceptable in all regards and accords with National planning policy and the various Development Plan policies cited which are applicable to Medway Council's and Tonbridge and Malling Borough Council's areas. The application is therefore recommended for approval.

Background Papers

The relevant background papers relating to the individual applications comprise: the applications and all supporting documentation submitted therewith; and items identified in any Relevant History and Representations section within the report.

Any information referred to is available for inspection in the Planning Offices of Medway Council at Gun Wharf, Dock Road, Chatham ME4 4TR and here <http://publicaccess.medway.gov.uk/online-applications/>